

# Interview Summary

Application No.

09/590,527

Applicant(s)

Akram

Examiner

Lynne Gurley

Art Unit

2812



All participants (applicant, applicant's representative, PTO personnel):

(1) Lynne A. Gurley

(3) \_\_\_\_\_

(2) Brick G. Power

(4) \_\_\_\_\_

Date of Interview Aug 8, 2002Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal (copy is given to 1) ☐ applicant 2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:Claim(s) discussed: 1-74

Identification of prior art discussed:

Not applicable.Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

A Restriction requirement was imposed by the Examiner between Group I (method claims 1-37 and 70-74) and group II (device claims 38-69). The group II claims (device claims 38-69) were elected without traverse.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
LYNNE GURLEY  
PATENT EXAMINERArt Unit 2812  
Examiner's signature, if required

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## DETAILED ACTION

### *Election/Restriction*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-37 and 70-74, drawn to a method of making a semiconductor device, classified in class 438, subclass 612.
  - II. Claims 38-69, drawn to a semiconductor device, classified in class 257, subclass 735+.
2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the process as claimed can be used to make another and materially different product, ie a product which does not require that the stabilizer is protruding from the surface
3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Brick G. Power on 8/8/02 a provisional election was made without traverse to prosecute the invention of Group II, device claims 38-69. Affirmation

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of this election must be made by applicant in replying to this Office action. Claims 1-37 and 70-74 have been withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.